

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

FRANK D. SEINFELD,	)	
	)	
Plaintiff,	)	
	)	
-against-	)	Case No.: 05-298(JJF)
	)	
CRAIG R. BARRETT, CHARLENE	)	
BARSHIEFSKY, E. JOHN P. BROWNE, D.)	)	
JAMES GUZY, REED E. HUNDT,	)	
PAUL S. OTELLINI, DAVID S.	)	
POTTRUCK, JANE E. SHAW, JOHN L.	)	
THORNTON, DAVID B. YOFFIE,	)	
ANDREW S. GROVE, and	)	
INTEL CORPORATION,	)	
	)	
Defendants.	)	

**AFFIDAVIT IN OPPOSITION TO  
DEFENDANTS' MOTION TO DISMISS**

STATE OF NEW YORK     )  
                                      : ss.  
COUNTY OF NEW YORK    )


**A. ARNOLD GERSHON**, being duly sworn, deposes and says as follows:

1. I am a member of the bar of the State of New York and an inactive member of the bar of the State of Georgia. I am the sole stockholder, director, officer and attorney of the firm A. Arnold Gershon, P.C., a New York professional corporation. I and my said professional corporation are of counsel to Ballon Stoll Bader & Nadler, P.C., a New York professional corporation, and we three are of counsel to the plaintiff in this action.

2. I make this affidavit in opposition to the defendants' motions to dismiss.
3. Attached hereto as Exhibit 1 is a copy of the complaint in *Weisberg v. Barrett*, 95 Civ. 0674 S.D.N.Y.
4. Attached hereto as Exhibit 2 is a copy of the order and final judgment in *Weisberg v. Barrett*, supra.
5. Attached hereto as Exhibit 3 is a copy of an affidavit of publication of the settlement notice in *Weisberg v. Barrett*, supra, reflecting the terms of the settlement.
6. Attached hereto as Exhibit 4 is a copy of the minutes of the meeting of the Financial Accounting Standards Board ("FASB") on July 27, 2004, that I obtained from FASB's website, www.fasb.org.
7. Attached hereto as Exhibit 5 is a copy of Information for Observers from the International Accounting Standards Board ("IASB") of its meeting in June 2005, London, that I obtained from its website, www.iasb.org.
8. Attached hereto as Exhibit 6 is a copy of the declaration of Pearl Meyer in *Shaev v. Saper*, Civil Action No. 01-3744, D.N.J.
9. Attached hereto as Exhibit 7 is a copy of the transcript of the proceeding in *Shaev v. Saper*, Civil Action No. 01-3744, D.N.J., on March 7, 2005.

  
A. Arnold Gershon

Sworn to before me this  
22nd day of July 2005

  
Notary Public  
.....INTELVAAG-AFF-ISO-SJ

ROBERT A. KLIPSTEIN  
NOTARY PUBLIC State of New York  
No. 31-02KL7305875  
Qualified in New York County  
Commission Expires Oct 31 2006

**CERTIFICATE OF SERVICE**

I hereby certify that on July 25, 2005, I electronically filed the foregoing Affidavit of A. Arnold Gershon in Opposition to Defendants' Motion to Dismiss with the Clerk of Court using CM/ECF which will send notification of such filing(s) to the following:

Stephen Norman, Esquire  
Potter Anderson & Corroon LLP  
1313 North Market Street  
P.O. Box 951  
Wilmington, DE 19899-0951

/s/ Francis G.X. Pileggi  
Francis G.X. Pileggi (Del. Bar No. 2624)